REMARKS

This responds to the Office Action mailed on May 31, 2006.

Claims 9, 25, and 41 are amended, no claims are canceled herein, and no claims are added herein; as a result, claims 9-16, 25-32, 41-48, 58-59, 62-63, 66-67, 71, 73, and 75 are now pending in this application.

§103 Rejection of the Claims

Claims 9-16, 25-32, 41-48, 58-59, 62-63, 66-67, 71, 73, and 75 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ortega et al. (U.S. 6,489,968), hereafter Ortega.

Ortega describes a browse tree, such as the one illustrated in Figure 1B of Ortega and referenced in the Office Action. In Ortega, the browse tree is preferably in the form of a directed acyclic graph (a tree that allows a child node to have multiple parents), although a pure tree or other type of browse structure could be used. The lowest-level nodes (or "leaf-nodes") of the browse tree represent individual book titles, and all other nodes represent categories (including sub-categories) of books. The lowest-level categories (those with no subcategories) are referred to as "leaf categories." Each node is preferably displayed to the user as a hyperlink (see FIG. 1A), although other types of user interfaces could be used. Selection of a node (hyperlink) causes the children of the node to be displayed. (Ortega at column 4, lines 53-64, emphasis added).

FIG. 1B in Ortega illustrates a simple browse tree used to describe a preferred process for elevating items for display. The same method may be used to elevate categories. The tree consists of seven category nodes, C1-C7, and fifteen item nodes, I1-115. The numbers listed below the item nodes ("items") are their respective popularity scores, on a scale of 1-10. As indicated above, these scores may be based on activity data collected for a particular user, a set of communities of which the user is a member, the general user population, or a combination thereof. Assuming that the top two items (items with the highest scores) are selected for elevation at each category node, the items are elevated for display as shown to the right of each category node. For example, items 5 and 6 are elevated for display at category 5 since they have the highest scores of all items falling within category 5; and items 9 and 10 are elevated for display at category 3 since they have the highest scores of all items falling within category 3. In

this example, items 1 and 5 would be featured both at the root of the tree (e.g., a Web page which lists the top level categories C2 and C3) and at category C2 (e.g., a Web page which lists C4 and C5), and items 9 and 10 would be featured at category C3. When the user navigates down to one of the leaf categories C4-C7 to view a list of items, the elevated items within that category might be highlighted within the list. (Ortega at column 8, lines 33-59, emphasis added).

As described above, Ortega uses the browse tree identified in the Office Action as an internal data structure (not a displayed structure) with which a user navigates through a set of categories or subcategories of items. As a user navigates to a particular node (e.g. category or subcategory), a hyperlink takes the user to a Web page that lists the items for that category. The structure or process in Ortega does not teach or suggest providing a plurality of subcategory entries being hierarchically related to a selected category entry within a category hierarchy data structure, to be displayed for a user in at least one subcategory field within a display window, concurrently with a category field, the plurality of subcategory entries being used to categorize an item in a transaction (e.g. Claim 9 presented herein). Ortega teaches the display of a node at a given level in a browse tree. But, Ortega does not teach or suggest the concurrent display of a plurality of subcategory entries and a category field.

In the Final Office Action, it is stated on page 6, lines 10-18 that, "[i]t would have been obvious to one of ordinary skill in the art at the time the invention was made to be responsive to said detection of said selection of said category entry, providing a plurality of subcategory entries being hierarchically related to said selected category entry within a category hierarchy data structure, to be displayed for said user in at least one subcategory entry field within said display window, concurrently with said category field, said plurality of subcategory entries being used to categorize said item in said transaction in view of Ortega's teachings of categories and subcategories to modify in Ortega because such a modification would allow Ortega to identify items and categories in a hierarchical browse structure." However, the Final Office Action fails to identify any teaching in Ortega that suggests, "hierarchically display[ing] for said user in at least one subcategory entry field within said display window, concurrently with said category field, said plurality of subcategory entries ..." (see currently pending claims 9, 25, and 41). Although Ortega illustrates a user interface with category selections and featured categories (see Fig. 1A), there is no teaching or suggestion of, "hierarchically display[ing] for said user in at

least one subcategory entry field within said display window, concurrently with said category field, said plurality of subcategory entries." The portions of Ortega referenced in the Final Office Action do not describe the hierarchical display of categories and subcategories. Further, the Examiner introduces an "interpretation" at page 6, line 18 that is not supported by the cited references and is thus not an appropriate basis for rejection.

As further evidence of the lack of teaching or suggestion in Ortega for the presently claimed subject matter, Figure 1A in Ortega illustrates a user interface (example Web page) that shows a displayed list of categories. The illustrated Web page does not show or suggest the possibility that a plurality of subcategory entries could also be concurrently displayed with a category field. As such, Ortega provides no teaching, no suggestion, and no motivation for one of ordinary skill in the art to consider the solution provided by the claims presented herein. Therefore, the Applicant respectfully asserts that Claim 9 is patentable over Ortega. Further, claims directly or indirectly dependent upon Claim 9 (i.e. Claims 10-16, 58-59, and 71) are also patentable for the same reasons set forth above. Applicant respectfully requests withdrawal of the Section 103 rejection and allowance of these claims.

Claims 25 and 41 include the limitation: "... providing a plurality of subcategory entries being hierarchically related to said selected category entry within a category hierarchy data structure, to be hierarchically displayed for said user in at least one subcategory field within said display window, concurrently with said category field, said plurality of subcategory entries being used to categorize said item in said transaction". For the same reasons set forth above, the Applicant respectfully asserts that Claims 25 and 41 are patentable over Ortega. Further, claims directly or indirectly dependent upon Claims 25 or 41 (i.e. Claims 26-32, 42-48, 62-63, 66-67, 73, and 75) are also patentable for the same reasons set forth above. Applicant respectfully requests withdrawal of the Section 103 rejection and allowance of these claims.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at 408-406-4855 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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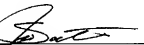
Date November 30, 2006 By /  /
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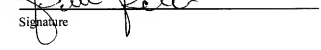
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